

Rachel R. Davidson, (State Bar No. 215517)  
KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP  
55 Second Street, Suite 1700  
San Francisco, California 94105-3493  
Telephone: (415) 882-8200  
Facsimile: (415) 882-8220

David A. Bateman (Pro Hac Vice)  
Shaakirrah R. Sanders (Pro Hac Vice)  
KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP  
925 Fourth Avenue, Suite 2900  
Seattle, WA 98104  
Telephone: (206) 623-7580  
Facsimile: (206) 370-6110

Attorneys for Plaintiff  
Microsoft Corporation

M. Candice Bryner (SBN 192462)  
LAW OFFICES OF M. CANDICE BRYNER, APC  
2102 Business Center Drive, Suite 149  
Irvine, CA 92612  
Telephone: (949) 253-4615  
Facsimile: (949) 253-4619

Attorney for Defendant  
Eileen Nguyen

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICROSOFT CORPORATION, a  
Washington corporation,  
Plaintiff,

v.

EILEEN NGUYEN d/b/a  
BIGSAVINGSTORE

**Defendant.**

Case No. C 06-06704 WHA

## STIPULATION AND ORDER FOR PERMANENT INJUNCTION

It is hereby stipulated by and between Plaintiff Microsoft Corporation ("Microsoft") and Defendant Eileen Nguyen dba: BigSavingStore, ("Defendant") through her designated counsel of

1 record, that Defendant shall cease and refrain from engaging in any of the following activities, and  
2 from assisting, aiding, or abetting any other person or entity in engaging in or performing any of the  
3 following activities:

4 a. engaging in the business of advertising, distributing, and selling counterfeit  
5 computer software, including programs covered by Microsoft's registered copyrights and bearing  
6 Microsoft's registered trademarks or imitations thereof;

7 b. advertising and distributing counterfeit Microsoft software in interstate  
8 commerce on the Internet by using any Internet auction site, including eBay (www.ebay.com) and  
9 PriceGrabber (www.pricegrabber.com); and

10 c. engaging in any other activity constituting an infringement of any of  
11 Microsoft's property rights, Registered or Unregistered Trademarks, service marks and/or  
12 copyrights, or of Microsoft's rights in, or right to use or to exploit these property rights, trademarks,  
13 service-marks, and/or copyrights.

14 Defendant represents and warrants that she has reviewed this with her counsel and  
15 understands the Stipulation and Order for Permanent Injunction. Defendant warrants that she has  
16 discussed this with her counsel, and has given her counsel the authority to bind her to the Stipulation  
17 and Order for Permanent Injunction. Microsoft's attorney warrants that she has the consent of  
18 Microsoft, has discussed this with it, and has the authority to bind Microsoft.

19  
20 DATED: October 11, 2007

KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP

21  
22 By /s/  
23 Rachel R. Davidson  
Attorney for Microsoft Corporation

24 DATED: October 11, 2007

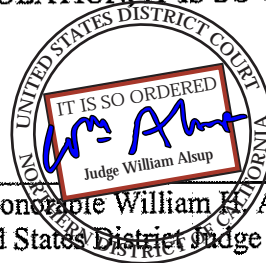
LAW OFFICES OF M. CANDICE BRYNER, APC

25  
26 By M. Candice Bryner  
27 M. Candice Bryner  
28 Attorney for Defendant Eileen Nguyen

ORDER

PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED.

DATED this 18th day of October, 2007.



The Honorable William E. Alsup  
United States District Judge